

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1614 OF 2006

Ankush @ Berdya Harischchandra
Kale

...Applicant

V/s

The State of Maharashtra

...Respondent.

Mr V.V. Purwant with Mr. M.S. Kumtekar for the
applicant.

Ms. S.D. Shinde, APP for the State.

CORAM: V.M. KANADE, J.

DATE: 28th April, 2006

P.C.

1. Heard the learned Counsel for the applicant and
the learned APP for the State.

2. The applicant was arrested in connection with C.R.
No.437/2005 registered with Band Garden Police Station
for the offence punishable under sections 302, 323,
143, 147 of the Indian Penal Code.

3. It is alleged that the applicant alongwith 3/4
others assaulted the deceased with fist blows. She
was brought to the house of the accused Nos. 1 and 2.

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It appears that she was not taken to the hospital and on the next day her husband found that she had died some time in the night. The post-mortem notes indicate that there are injuries on her legs and on her face. It is alleged that the accused had given fist blows to the deceased.

4. Looking at the nature of injuries and the allegations of assault by fist blows as was witnessed by the eye witnesses, in my view, the applicant is entitled to be released on bail particularly because the charge-sheet has been filed.

5. The applicant be released on bail in the sum of Rs 5000/- with one or two sureties in the like amount. The applicant to report to the concerned Police Station twice in a month.

6. Application is accordingly disposed of.

V.M. KANADE, J.